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[Page 634-635]

TITLE 5--ADMINISTRATIVE PERSONNEL

CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS

PART 2638 _OFFICE OF GOVERNMENT ETHICS AND EXECUTIVE AGENCY ETHICS PROGRAM RESPONSIBILITIES--Table of Contents

Subpart G _Executive Agency Ethics Training Programs

Sec. 2638.705 Annual ethics training for other employees.

(a) Covered employees. Each calendar year, agencies must train the following employees:

- (1) Employees appointed by the President;
- (2) Employees of the Executive Office of the President;
- (3) Employees defined as confidential filers in 5 CFR 2634.904;
- (4) Employees designated by their agency under 5 CFR 2634.601(b) to file confidential financial disclosure reports;
- (5) Contracting officers, as defined in 41 U.S.C. 423(f)(5); and
- (6) Other employees designated by the head of the agency or his or her designee based on their official duties.

Note to paragraph (a):

Employees described above who are also public filers must receive ethics training as provided in Sec. 2638.704.

(b) Content of training. The requirements for the contents of annual training are the same as the requirements in Sec. 2638.704(b).

(c) Length and presentation of training. The training for covered employees must consist of:

(1) A minimum of one hour of official duty time for verbal training at least once every three years. The verbal

[[Page 635]]

training must be presented by a qualified instructor or prepared by a qualified instructor and presented by telecommunications, computer, audiotape, or videotape; and

(2) An amount of official duty time the agency determines is sufficient for written training in the years in which the employee does not receive verbal training. The written training must be prepared by a qualified instructor. The employee's initial ethics orientation may satisfy the written training requirement for the same calendar year.

(d) Exceptions. Written ethics training prepared by a qualified instructor will satisfy the verbal training requirement for a covered employee (or group of covered employees) if sufficient official duty time is provided for the training and:

(1) The designated agency ethics official (or his or her designee) makes a written determination that verbal training would be impractical;

(2) The employee is a special Government employee expected to work 60 or fewer days in a calendar year;

(3) The employee is an officer in the uniformed services serving on active duty for 30 or fewer consecutive days; or

(4) The employee is designated under paragraph (a)(6) of this section to receive training.